

★ SEP 28 2006 ★

BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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In re: ZYPREXA
PRODUCTS LIABILITY LITIGATION

MEMORANDUM and
ORDER

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04-MD-1596 (JBW)

THIS DOCUMENT RELATES TO:

ALL ACTIONS

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Jack B. Weinstein, Senior United States District Judge


By letter dated September 22, 2006, the Attorney General of California (by the Honorable Brian V. Frankel) for the Bureau of Medi-Cal Fraud & Elder Abuse, State of California Department of Justice, poses the following question regarding interpretation of this court's order of September 11, 2006:

I understand the Order to say that for states which had agreed to a traditional resolution of their liens, if a state had a statute capping the state's contribution of attorney's fees, then the state's statute would be followed, and the percentage of contribution specified in the state statute would control the state's contribution in the current action. Therefore, using California as an example, California's liens would be reduced by 25%, in accordance with California's applicable statute mandating a 25% reduction.

This interpretation, subject to argument of any interested party or entity, is correct. This interpretation applies to Kansas, Wyoming, California, Florida, Michigan, South Dakota, Texas

and Indiana, which should contribute attorneys' fees and costs in the percentages specified in their state statutes. *See* order of September 11, 2006, p. 41.

SO ORDERED.



Jack B. Weinstein
Senior United States District Judge

Dated: Brooklyn, New York
September 26, 2006